

Application No.: 10/567,197
Filing Date: September 21, 2006

AMENDMENTS TO THE DRAWINGS

Please replace Figure 1 with the Replacement Sheet provided herewith.

REMARKS

Claims 1-31 and 33-44 are currently pending. Previously mislabeled as claims 44 and 45 are renumbered as Claims 43 and 44. No new matter has been introduced herewith. The following addresses the substance of the Office Action.

Objections

- i) Figure 1 was objected to due to formatting errors. A Replacement Sheet for Fig. 1A is provided herewith.
- ii) References cited in paragraph [0011] were not properly listed. Paragraph [0011] is amended to include proper citations and the references are concurrently submitted herewith, accompanied by an Information Disclosure Statement.
- iii) The last sentence of paragraph [0031] was found to be improper. The sentence has been deleted.

Written Description

Claims 1-23, 33 and 43 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner stated that the limitation “activating said catalyst system for polymerization” in Claim 1 was new matter. The Examiner also stated that it is accepted in the art that the catalyst is activated upon contacting with cocatalyst, i.e., the catalyst is in activated form as soon as carbon nanotubes are combined with the cocatalyst/catalyst couple. Claim 1 is amended to remove the second step of “activating” and the phrase “wherein said catalytic system is rendered active for polymerization” is added to the first step. Consequently, the Claims are in compliance with the written description requirement and removal of the rejection is respectfully requested.

Indefiniteness

Claim 11 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, a range of cocatalyst amount was incorrectly written as two ranges (i.e., between about 10^{-3} and about 10^{-2}). Claim 11 is amended to properly use scientific notation as originally intended, now reciting “between about 10^{-3} and 10^{-2} ”.

Referring to Claims 7, 25 and 36, the catalyst limitations of “hindered amidoaryl chelates, hindered oxoaryl chelates, Fe(II and III) and Co(II)bis(imino)pyridines and Brookhart complexes

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based on Ni(II), Pd(II)” was found to lack definitions and clarification was requested. It is known to one of ordinary skill in the art that, in a hindered metallocene, the ligands have a high steric hindrance or they are chemically bound and the geometrical conformation of the metallocene is thereby constrained. Claims 7, 25 and 36 are amended by explicitly incorporating a comparable definition for hindered amidoaryl and osuaryl chelates.

In view of the amendments to the claims and the preceding remarks, the Applicants respectfully request removal of the rejection under 35 U.S.C. § 112, second paragraph.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

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CONCLUSION

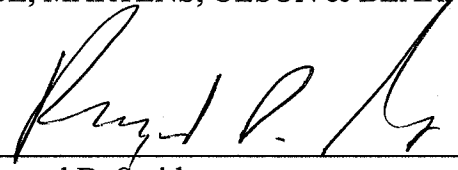
In view of Applicants' amendments to the Specification and the Claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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